



कार्यालय, रक्षा लेखा महानियंत्रक
उलन बटार रोड, पालम, दिल्ली छावनी - 110010
Controller General of Defence Accounts
Ulan Batar Road, Palam, Delhi Cantt- 110010



No. AN/XIV/14121/III/INC/Vol-XXI

Dated: 08.09.2020

IMPORTANT CIRCULAR

To

All PCsDA/CsDA/PCA (Fys)
(Through Website)

Sub: Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government through direct recruitment under FR 22 B (1).

The DoP&T has recently issued an OM F.No. 12/2/2017-Estt(Pay-I) dated 5th August 2020 for Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government through direct recruitment under FR 22 B (1).

2. The Fundamental Rules (FR & SR) with regard to pay protection of Central Govt. Servants have already been there throughout various pay commissions viz. FR-22B(1), FR-9(13) Lien, FR-9(24), FR-9(28) Substantive Pay, Audit Instructions under FR-9. The DoP&T OM dated 05.08.2020 has clarified the same in 7th CPC scenario i.e. CCS (RP) Rules 2016.

3. Copies of DoP&T OM dated 05.08.2020 as well as the relevant rules are forwarded herewith with a request to strictly ensure compliance of these rules. The cases which fulfill the conditions may be forwarded for obtaining audit report to PCDA (P) Allahabad with detailed statement of case and service book.

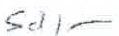
4. The PCDA (P) Allahabad will thereafter scrutinize the cases as per these rules and render audit report to this HQrs. containing details of fulfillment of all the conditions for pay protection for further necessary action.

This issues with the approval of Sr. Jt. CGDA (AN).


(Rajeev Ranjan Kumar)
Dy. CGDA (AN)

Copy to:-

1. O/I.C. Admin-Pay Section (Local)
2. O/I.C. AT-Coord (Local)
3. O/I.C. IT&S Wing (Local) - for uploading this circular on the website of CGDA
4. CENTRAD, Brar Square, Delhi Cantt.
5. O/I.C. Library Section (Local)
6. MNB, AN-14 Section (Local)
7. Secretary General, AIDAA (CB) Pune – through PCDA (O) Pune
8. Secretary General, AIDAEA (HQ) Kolkata – through PCA (Fys.) Kolkata


(Pradeep Kumar)
Accounts Officer (AN)



कार्यालय, रक्षा लेखा महानियंत्रक
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प्रशा/XIV/14121/III/आईएनसी/जिल्द-XXI

दिनांक: 08.09.2020

महत्वपूर्ण परिपत्र

सेवा में,

सभी र.ले.प्र.नि./र.ले.नि./प्र.ले.नि (फै.)
(वेबसाइट के माध्यम द्वारा)

विषय : एफ आर 22 बी (1) के अंतर्गत केंद्रीय सरकार में सीधी भर्ती के माध्यम से अन्य सेवा या कैडर में नए पद पर नियुक्ति के परिणामस्वरूप केंद्रीय सरकारी कर्मचारी को वेतन सुरक्षा ।

कार्मिक एवं प्रशिक्षण विभाग द्वारा हाल ही में एफ आर 22 बी (1) के अंतर्गत केंद्रीय सरकार में सीधी भर्ती के माध्यम से अन्य सेवा या कैडर में नए पद पर नियुक्ति के परिणामस्वरूप केंद्रीय सरकारी कर्मचारी को वेतन सुरक्षा हेतु दिनांक 05 अगस्त 2020 को कार्यालय जापन सं 12/2/2017-Estt(Pay-I) जारी किया है ।

2. केंद्रीय सरकार के कर्मचारियों को वेतन सुरक्षा देने के संबंध में मूल नियम (एफआर एवं एसआर) पहले से ही विभिन्न वेतन आयोगों में विद्यमान हैं नामतः एफआर-22 बी (1), एफआर-9 (13) लियन, एफआर-9(24), एफआर-9(28) मूल पद वेतन, एफआर-9 के अंतर्गत लेखापरीक्षा अनुदेश । कार्मिक एवं प्रशिक्षण विभाग ने दिनांक 05.08.2020 के अपने कार्यालय जापन के द्वारा सातवें केंद्रीय वेतन आयोग अर्थात् सीसीएस (आरपी) नियम 2016 के परिदृश्य में उक्त नियमों को स्पष्ट किया है ।

3. कार्मिक एवं प्रशिक्षण विभाग के दिनांक 05.08.2020 के कार्यालय जापन तथा संबंधित नियमों की प्रतियां इस अनुरोध के साथ प्रेषित की जाती हैं कि इन नियमों का कड़ाई से अनुपालन सुनिश्चित किया जाए। जो मामले उक्त नियमों में दी गई शर्तों को पूरा करते हैं, उन्हें मामले के विस्तृत विवरण एवं सेवा पुस्तिका के साथ ऑडिट रिपोर्ट प्राप्त करने के लिए रक्षा लेखा प्रधान नियंत्रक (पेंशन) इलाहबाद भेजा जाए ।

4. इसके पश्चात रक्षा लेखा प्रधान नियंत्रक (पेंशन) इलाहबाद इन मामलों की उक्त नियमों के अनुसार जांच करके आगे की कार्यवाही हेतु इस मुख्यालय कार्यालय को ऑडिट रिपोर्ट सौंपेंगे जिसमें कि वेतन सुरक्षा के लिए सभी शर्तों के पूरे होने संबंधी पूर्ण ब्योरा दिया जाएगा ।

रक्षा लेखा वरिष्ठ संयुक्त महानियंत्रक (प्रशासन) के अनुमोदन से जारी।

(राजीव रंजन कुमार)
र.ले.उ.म.नि. (प्रशा.)

प्रतिलिपि:

1. प्रभारी अधिकारी प्रशा.-वेतन अनुभाग (स्थानीय)
2. प्रभारी अधिकारी लेखापरीक्षा-समन्वय (स्थानीय)
3. प्रभारी अधिकारी सू.प्रौ.एवं प्र. विंग- (स्थानीय)- इस परिपत्र को र.ले.महानियंत्रक की वेबसाइट में अपलोड करने हेतु
4. सैंट्रल, बरार स्केयर, दिल्ली छावनी
5. प्रभारी अधिकारी पुस्तकालय अनुभाग (स्थानीय)
6. एमएनबी, प्रशा-14 अनुभाग (स्थानीय)
7. महा सचिव, एआईडीए (सीबी) पुणे - र.ले.प्र.नि. (अ.) पुणे के माध्यम द्वारा
8. महा सचिव, एआईडीए (मुख्यालय) कोलकाता - र.ले.नि. (फै.) कोलकाता के माध्यम द्वारा

(प्रदीप कुमार)
लेखा अधिकारी (प्रशा.)

F. No. 12/2/2017-Estt(Pay-I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated: 5th August, 2020

OFFICE MEMORANDUM

Subject: Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government, through direct recruitment where either higher duties and responsibilities are involved or not, as the case may be, under FR 22-B(1), in the 7th CPC Scenario-regarding.

The undersigned is directed to say that consequent to various references received from Ministries/Departments on protection of pay under FR 22-B(1), a need has been felt to issue guidelines on the manner of fixation of pay in respect of the Central Government Servant who after technical resignation, is appointed to new post in the different service or cadre in Central Government through direct recruitment where either higher responsibilities are involved or not, as the case may be, in 7th Central Pay Commission scenario.

2. Provisions of FR 22-B(1) *inter-alia* provide as under :-

"F.R. 22-B.(1) Notwithstanding anything contained in these Rules, the following provisions shall govern the pay of a Government servant who is appointed as a probationer in another service or cadre, and subsequently confirmed in that service or cadre-

(a) during the period of probation, he shall draw pay at the minimum of the time scale or at the probationary stages of the time scale of the service or post, as the case may be:

Provided that if the presumptive pay of the permanent post on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the pay fixed under the clause, he shall draw the presumptive pay of the permanent post;

(b) on confirmation in the service or post after the expiry of the period of probation, the pay of the Government servant shall be fixed in the time-scale of the service or post in accordance with the provisions of Rule 22 or Rule 22-C, as the case may be:....."

3. Consequent upon the implementation of 7th CPC Report and CCS (RP) Rules, 2016, the President is pleased to allow protection of pay in the light of the provisions laid down under FR 22-B(1) to Central Government employee who is appointed as probationer in another service or cadre either carrying higher responsibilities or not, as the case may be and subsequently confirmed in that service or cadre, in the manner as illustrated below:

@ Baharee
05/08/20
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(A) MANNER OF FIXATION OF PAY OF GOVERNMENT SERVANT UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT IN LOWER POST THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE NOT INVOLVED

A Central Government Employee on his appointment to a post in lower Level in different service or cadre in Central Government which does not carry duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment and having a provision of probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis, if it is higher than the minimum of the Time Scale of the new post. He would also draw annual increments on such presumptive pay. However, it is to be ensured that during probation, presumptive pay should always be greater than the pay of the new post after drawl of increment(s). Subsequently, on successful completion of his probation, his pay will be fixed under FR 22(l)(a)(2).

Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

Illustration

An officer was drawing pay of Rs.78,500 in Cell 6 in Level 11 (with DNI 01.07.2018) before his appointment to a post in Level 10 on 01.04.2018 which does not carry duties and responsibilities of greater importance than those attached to the post held earlier by him before such appointment. There is a provision of 2 years probation period in new post.

Since the first Cell Value in Level 10 (Rs.56,100) is less than the Last Basic Pay i.e. Rs. 78,500/- in Level 11. Hence during probation, he will draw the presumptive pay i.e. Rs.78,500/- in Level 11 and would also draw annual increments according to the pay drawn in his previous post in Level 11.

On 01.04.2018-	Rs. 78,500 (Level 11)
On 01.07.2018-	Rs. 80,900 (Level 11)
On 01.07.2019-	Rs. 83,300 (Level 11)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(l)(a)(2). Since no such Cell of Rs. 83,300/- is available in Level 10, his pay would be fixed at next higher cell i.e. Cell 15 in Level 10 at Rs. 84,900 with next date of increment 01.01.2021.

(B) MANNER OF FIXATION OF PAY OF CENTRAL GOVERNMENT EMPLOYEE UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT TO A POST IN HIGHER LEVEL THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE INVOLVED

A Central Government Employee on his appointment to a post in higher level in different service or cadre in Central Government carrying duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment and having a provision of

probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis if it is higher than the minimum of the Time Scale of the new post. He would also draw annual increments on such presumptive pay. However, it is to be ensured that during probation presumptive pay should always be greater than the pay of the new post after drawl of increment(s). Subsequently, on successful completion of his probation, his pay will be fixed under FR 22(l)(a)(1).

Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

Illustration

An officer was drawing pay of Rs.58,600 in Cell 10 of Level 7 before his appointment on 01.04.2018 in Level 10 (with DNI 01.07.2018) which carries duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment. There is a provision of 2 years probation period in new post.

Since the first Cell Value of Level 10 (Rs. 56,100) is less than the Last Basic Pay drawn in Cell 10 of Level 7 i.e. Rs. 58,600/-, hence during probation, he will draw the presumptive pay of the post held earlier by him on regular basis and would also draw annual increments in the Level 7 of his previous post as shown below:-

On 01.04.2018-	Rs. 58,600 (Level 7)
On 01.07.2018-	Rs. 60,400 (Level 7)
On 01.07.2019-	Rs. 62,200 (Level 7)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(l)(a)(1) read with Rule 13 of CCS (RP) Rules, 2016. Accordingly, an increment will be added in his pay in Level 7 and his pay will reach at Rs. 64,100/-. Since, there is no cell value equal to Rs. 64,100 available in Level 10, his pay will be fixed in Level 10 in Cell 6 at Rs. 65,000/- with next date of increment 01.01.2021.

(C) MANNER OF FIXATION OF PAY OF CENTRAL GOVERNMENT EMPLOYEE UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT TO A POST IN EQUIVALENT LEVEL POST THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE NOT INVOLVED

A Central Government Employee on his appointment to a post in Equivalent Level in different service or cadre in Central Government through direct recruitment where higher duties and responsibilities are not involved and having a provision of probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis. He would also get his increments on such presumptive pay. On successful completion of his probation, his pay will be fixed under FR 22(l)(a)(2). However, Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

AB
05/08/2020

Illustration

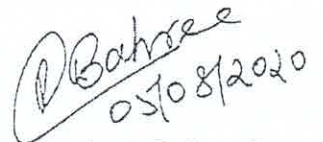
An officer was drawing pay of Rs. 58,600 in Cell 10 of Level 7 before his appointment on 01.04.2018 in the same Level 7 (with DNI 01.07.2018). There is a provision of 2 years probation period in new post.

Since the first Cell Value of Level 7 (Rs. 44,900) is less than the Last Basic Pay i.e. Rs. 58,600/- in Level 7 drawn by Government Servant, hence during probation, he will draw the presumptive pay and also get his increments in the same Level of his previous post as shown below:-

On 01.04.2018-	Rs. 58,600 (Level 7)
On 01.07.2018-	Rs. 60,400 (Level 7)
On 01.07.2019-	Rs. 62,200 (Level 7)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(I)(a)(2). Since no increment would be admissible under FR 22(I)(a)(2), there will be no change in his pay on the date of confirmation i.e. 01.04.2020. Accordingly, his pay in Level 7 on 01.04.2020 would be Rs. 62,200 (Level 7) with next date of increment on 01.07.2020, as Level remains same.

4. The above mentioned pay protection under FR 22-B(1) will be available to the Government servant if he holds a lien on his previous permanent post.
5. No stepping up of pay of senior Government servant shall be allowed on the basis of the pay protection granted under FR 22-B(1) to junior Government servants of that particular service/cadre.
6. This order takes effect from 01.01.2016.
7. In their application to the employees of Indian Audit and Accounts Department, these orders are issued after consultation with the Comptroller & Auditor General of India, as mandated under Article 148(5) of the Constitution.
8. Hindi version will follow.


05/08/2020
(Rajeev Bahree)

Under Secretary to the Government of India

To

All Ministries / Departments of Government of India.

Copy also forwarded to:

1. The Comptroller & Auditor General of India.
2. Secretary General, Supreme Court of India.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.

4. Union Public Service Commission / Lok Sabha Sectt. / Rajya Sabha Sectt. / Cabinet Sectt. / Central Vigilance Commission / President's Sectt./ Vice-President's Sectt. / Prime Minister's Office / Niti Aayog.
5. Governments of all States and Union Territories.
6. Department of Personnel and Training (AIS Division) / JCA / Admn. Section.
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
8. All Members of Staff Side of the National Council of JCM / Departmental Council.
9. All Officers / Sections of Department of Personnel and Training / Department of Administrative Reforms & Public Grievances / Department of Pensions & Pensioners' Welfare / PESB.
10. Joint Secretary (Pers), Department of Expenditure, Ministry of Finance.
11. Additional Secretary (Union Territories), Ministry of Home Affairs.
12. JD (OL), DoPT, North Block, New Delhi- for Hindi version of this OM.

R Bahree
05/08/2020
(Rajeev Bahree)

Under Secretary to the Government of India